

03/05/02



PTO/SB/0551-00

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

UTILITY
PATENT APPLICATION
TRANSMITTAL

Attorney Docket No. 416272001410

First Inventor Myeong-Je CHO, et al.

Title

BARLEY GENE FOR THIOREDOXIN AND Nadp-THIOREDOXIN REDUCTASE

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Express Mail Label No. EL 915 531 702 US

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mail Label No.: EL 915 531 702 US

Date of Deposit: March 5, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

EL 915531702US

CHASE J. TROMBELLA

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ **Fee Transmittal Form (e.g. PTO/SB/17) - 1 pg IN DUPL**
(Submit an original, and a duplicate for fee processing)
2. ☒ **Applicant claims small entity status.**
See 37 CFR 1.27.
3. ☒ **Specification** [Total Pages **105**]
(preferred arrangement set forth below)
- Descriptive title of the Invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure
4. ☒ **Drawing(s) (35 USC 113)** [Total Sheets **19**]
5. **Oath or Declaration** [Total Pages **4**]
a. ☐ Newly executed (original or copy)
b. ☒ **Copy from a prior application (37 CFR 1.63(d))**
(for continuation/divisional with Box 18 completed)
i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)
6. ☒ **Application Data Sheet. See 37 CFR 1.76 - 3 pgs**

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. **Nucleotide and/or Amino Acid Sequence Submission**
(if applicable, all necessary)
a. ☐ Computer Readable Form (CRF)
b. **Specification Sequence Listing on:**
i. ☐ CD-ROM or CD-R (2 copies); or
ii. ☐ paper
c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (where there is an assignee) ☐ Power of Attorney
11. ☐ English Translation document (if applicable)
12. ☒ **Information Disclosure Statement - 3 pgs AND PTO-1449 - 1 pg** ☒ [6] CITED REFS ONLY - NO COPIES
13. ☒ **Preliminary Amendment - 15 pgs**
14. ☒ **Return Receipt Postcard (MPEP 503)**
Should be specifically itemized
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other **REQUEST TO TRANSFER SEQUENCE LISTING FROM RELATED APPLICATION - 2 pgs**

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ **Divisional** ☐ Continuation-in-part (CIP) of prior application No: **09/540,014 filed March 31, 2000, which claims the benefit of the filing date of Application Serial No. 60/127,198 filed March 31, 1999; which claims benefit of 60/169,162 filed December 6, 1999; which claims benefit of 60/177,740 filed January 21, 2000; which claims benefit of 60/177,739 filed January 21, 2000**

Prior application information:

Examiner **J. Einsmann**Group / Art Unit: **1634**

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. This incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label

20872

PATENT TRADEMARK OFFICE

or ☐ Correspondence address below

(Insert Customer No. or Attach bar code label here)

Name	MICHAEL R. WARD (NO. 38,651)				
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	425 MARKET STREET				
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Country	U.S.A.	Telephone	415/268-6237	Fax	415/268-7522
Name (Print/Type)	MICHAEL R. WARD		Registration No. (Attorney/Agent)	38,651	
Signature	<i>Michael R Ward</i>			Date March 5, 2002	

FEE TRANSMITTAL FOR FY 2002		Complete if Known	
<i>Patent fees are subject to annual revision.</i>		Application Number	To Be Assigned
		Filing Date	HEREWITH
		First Named Inventor	Myeong-Je CHO et al.
		Examiner Name	To Be Assigned
		Group Art Unit	To Be Assigned
TOTAL AMOUNT OF PAYMENT		(\$841.00	Attorney Docket No. 416272001410

METHOD OF PAYMENT		FEE CALCULATION (continued)																																																																																																																																																																															
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to: Deposit Account Number: 03-1952 Deposit Account Name: Morrison & Foerster LLP <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27 2. <input type="checkbox"/> Payment Enclosed: <input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other		3. ADDITIONAL FEES <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>400</td><td>216</td><td>200</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>920</td><td>217</td><td>460</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,440</td><td>218</td><td>720</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,960</td><td>228</td><td>980</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>320</td><td>219</td><td>160</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>320</td><td>220</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>280</td><td>221</td><td>140</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - 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SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Michael R. Ward	Registration No. (Attorney/Agent)	(38,651)
Signature	<i>Michael R. Ward</i>	Telephone	(415) 268-6237
		Date	March 05, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

PATENT
Docket No. 416272001410
Cl. Ref. B99-002-3

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CHASE J. TROMBELLA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Myeong Je-CHO et al.

Serial No.: To Be Assigned

Filing Date: HERewith

For: BARLEY GENE FOR THIOREDOXIN
AND NADP-THIOREDOXIN
REDUCTASE

Examiner: To Be Assigned

Group Art Unit: To Be Assigned

**REQUEST TO TRANSFER SEQUENCE LISTING
FROM RELATED APPLICATION**

BOX PATENT APPLICATION
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Applicants request that the Sequence Listing in both computer readable form (CRF) and paper copy from U.S. Application Serial No. 09/540,014 filed March 31, 2000, be transferred to the above captioned U.S. Application.

Applicants assert that the sequences of 09/540,014 are the same as those sequences in this divisional application. The transfer is therefore appropriate.

Furthermore, Applicants assert that the paper copy and the computer readable copy of the sequence listing in 09/540,014 are identical.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 416272001410. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: March 04, 2002

By: Michael R. Ward

Michael R. Ward
Registration No. (38,651)

Morrison & Foerster LLP
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San Francisco, California 94105-2482
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